TILDEN'S SUIT AGAINST GEN. BUTLER.

GENERAL BUTLER ON THE STAND

Full Narrative of His Operations at New Orleans, with Begging and Threatening Letters to Him from Wiegel.

WIEGEL SQUELCHED.

Sudden Collapse of the Prosecution.

GENERAL BUTLER VINDICATED.

The Tilden-Butler suit was concluded yesterday, before Judge Shipman, in the United States Circuit Court. The court room, notwithstanding the extreme heat, was crowded by an interested auditory, and the principal object of interest-the de fendant, General Butler, on the stand-awakened a peculiar and hushed attention.

The proceedings in the forenoon related principally to the character of the witness Wiegel, in relation to whose truth and veracity several witnesses were called, among them Mr. Alexander Fulton, Supervisor of Internal Revenue for the States of Maryland and Delaware; General Erastus B. Tyler, a resident of Baltimore; David Bendann, a photographer of this city, formerly of Baltimore, and Mr. John Ashton, a resident of that city, all of whom testified to the character of Wiegel as being bad, and they would not believe him under oath. GENERAL BUTLER ON THE STAND.

The defendant in the case-General Butler himself-took the witness stand; he gave in the course of his testimony a full and succinct history of his transactions in New Orleans, covering the time and subjects of the prosecution; he arrived in New Orleans on the 1st day of May, 1862, as Major charles, that he was a loyal man and that they ought to be returned to him, and producing allidavits to that effect, which application and allidavits will be produced in court, General Butler ordered his quartermaster to transfer the Anglo-American and the St. Charles, the two best towboats, to.Mr. Stanton, who ran them as towboats until the fall of Baton Rouge, when they were taken by General Butler and used for transporting the troops to Baton Rouge and alterwards in bringing them away at its evacuation; the Landis and Fox were in the hands of the quartermaster, under the charge of a Mr. Edey, who was engaged in towing under the direction of the Quartermaster's Department as part of the army operations; no other towboats were on the river; the Nassau was not fitted for the purpose of bringing out cotton or sugar, or any other produce, because the rivers and bayons could only be navigated by flat-bottomed river steamers that could lie up against the banks to be londed, and she never was used for that purpose; General Butler denied entirely the statement of Mr. Wiegel of supposed conversations between himself and his brother ever having taken place, but testified that Mr. Wiegel was not in his office at all after the 20th day of August; Mr. Wiegel, during the absence of Strong, who was Adjutant General and Chiefof Staff, was swhile in the Adjutant General and Chiefof Staff, was swhile in the Adjutant General officers, and signed special orders as Acting Assistant Adjutant General; those special orders were produced, and it was shown that he signed the last one on the 29th day of August; from that time General Strong and Captain Davis, the regular officers, signed all the orders following; some time the last of August or early in September an expedition was made to Ponchitonia and Tanglpolo under the command of General Strong, Chiefof Staff, which was wounded with seven wounds, and ten upon the field; a flag of truce was at once sent over by General Butler would indicate; thereupon a flag of fruce was despatched Ceneral Commanding the Department of the Gulf, and remained there in command until the 16th of December, 1862, leaving finally on the 24th of that month, being succeeded by General Banks; about the 1st of September, having determined, in consultation with Admiral Farragut, upon an expedition with a brigade into the Teche and Atchafalaya country, to be commanded by General Weltzel, and in order to do this it was necessary to have a naval lorce to co-operate with the land forces in order to capture Brashear City; the navy had no gunboats of light draught enough to enter across the bar in Berwick Bay, so as to reach the seat of operations; he thereupon took two river steamers-the Diana and the Gray Cloud, afterwards called the Colone, Kinsman—and iron-plated them, so as to cover the boilers and forward deck: but, as these two steamers were river boats, it was not safe to send them round outside in the Gulf, unless they could be ac-companied by one or two light draught sea-going steamers; he had one steamer called the Calhoun, which he turned over to the navy, and they fitted her up as a gunboat; he instructed his captain of the port to look out among the shipping for another light draught steamer, and inform him as soon as one came into port; about the 4th or 5th of September the steamer Nassau came into port, and Captain Sturges informed him of her arrival, and that she might probably answer his pormeanwhile his Quartermaster, Colonel Shaffer, had gone North, leaving New Orleans about the 1st of September, to make requisition at Washington for funds, in greenbacks, for the necessary expenses of the army; this threw upon General Butler the burden of procuring such a boat; he sent one of his omcers, now deceased, who had some experience in boats, a seafaring man—Captain R. S. Davis—to examine e Nassau; he reported that she was sultable for the purpose; he then made inquiry as to who was the owner of the boat; falling to learn who owned her, he found that she had been consigned to George Hunnewell; General Butler sent to Mr. Hunnewell and asked him to call upon him, and made inquiries about the boat; stated to Mr. Hunnewell that if she would do for his purpose he would procure authority from the Quartermaster General procure authority from the Quartermaster General to purchase her; Mr. Hunnewell stated that he was the sole owner of the boat; General Butler then asked him what he considered the boat worth; he said \$49,000; thereupon General Butler toid him that he could not pay any fixed sum for the boat, as he was not authorized to do so, as he had no right to fix the amount, but that he would have an informal board of survey, who should fix the price, and that he would take her at that price and give a certificate of indebtment, so that Mr. Hunnewell

a certurcate of indestiment, so that Mr. Hunnewell could get his pay at Washington; thereupon a board of survey, consisting of one citizen ship carpenter, Captain Davis, of his start, and an engineer as to the boilers, went and examined the boat, and reported her to General Butter as being worth, repairs, and found that the cost of fitting her up would be about twelve this uson dollars more; he intended that she should carry one very heavy rinded gun forward and two howziters at; he then sent for Mr. Hunnewell and told him he would give him a certificate of indebtedness for \$28,000; in the meantime General Butler wrote a letter to the Quartermaster General, in which he stated all these facts, on the 14th of September, of which a copy will be produced in Court, and received answer by return of mail that he might purchase the boat; Mr. Hunnewell said that the boat was worth more than that; General butler told him was worth more than that; General butler told him could not pay anything, but would have to give a certificate of indebtedness, to be paid when his quartermaster returned, if he got the money, otherwise it would be paid in Washington, because the moneys of the government in the hands of General Butler were from other funds, devoted to feeding the poor and the purposes of civil administration; Mr. Hunnewell said that it would be a very great loss to him—not to have the pay indeed, he did not see how he could get along without the pay, but the could not get his pay he would like to charter the boat; Schoral Butler boat would not get he may he would like to charter the beat; schoral Butler boat wind cost quite as much as the worth of the would not pay him in Trensury notes, yet he would unfil her for any other use; the service she was going on was a dangerous one, in which she would not pay him in horse of the Resident of the weak of the pay her would not pay him in Trensury notes, yet he would unfil her for any other use; the schor her pay her would not pay him in the meant would not spay her head of the h

said be would not pay anything towards the repairs, and weuld not pay any more than he had received; General Butler told him that he would not take that, nor would he wait if he could get anybody else to take the boat, because he wanted to use the very same money for the purpose of buying another boat, he having been informed that a boat quite as suitable for his purpose and more expensive had meanwhile come into port; Mr. Hunnewell said, then, that he could not take her, and went away; General Butler never saw nor heard of Mr. Hannewell said, then, that he could not take her, and went away; General Butler never saw nor heard of Mr. Hannewell said until the commencement of this suit; he let it be known to everybody that he had q boat to sell; he asked his breiter and the Captain of the Port to inquire if anybody would like to buy such a boat, skiding that it might be bought for what he had paid for it and the cost of the repairs; meantime General Butler was informed by his harbor master that the steamer Estrella, an Iron steamer and blockade runner, was in port; he sent for her owner, entered into negotiations for the purchase of her, appointed a board of survey, who surveyed her, reported her as worth \$57,000; that she was strong and staneh and drew some five and a half or six feet of water-something less than the Nassau; General Butler thereupon took the board of survey and the captain of the Estrella on a trial trip in her down the river to examine her himself; being satisfied with her, and that she would hold up her guns without further repairs, he ordered his quartermaster, who had returned at that time, to purchase her, and he did purchase her, for \$57,000, on the 1st day of October, eight days after he had bought the Nassau; but his quartermaster did not pay for her because he had not succeeded in getting his money, and the Riaman met her at Southwest Pass, and she went around to hervick Ray, co-operated with the land forces and captured the whols Teche country, and did yery good service, as will appear to have the surgeous and pair and the probability of the first to address me in the manner you have done in some of your communications. I refer especially to the last sentence of your endorsement—"You might, "se." What is may not gives you any right to speak thus? I do not recite the remarks that were not complimentary. I only spoke of the fact, as showing the reason why your claim could not have been passed through. How do you know from anything in that note that I did not defend you from the remarks or deny them, or both. I san not in the habit of boasting of my services to my driends. I do what I can for them, and you have given me now the right to say that for none have I done more than for yourself, and to call your attention to the fact that at this moment when you write thus to me you are living in the occupance of an office got upon my recommendation, one which you could not have got without my influence. You may well say you have much to learn, and you had better learn, if not kratitude, at least decency of expression to a henesheater.

B. F. BUTLERE.

A threatening letter was sent the General by Wiegel, to which the following is a sufficiently intelligible answer:— REPLY TO THREATENING LETTER.

REPLY TO THREATENING LETTER.

Sta-Your threatening letter has been received. You are at liberty to make such use as you can of any letters of an income of the collection of the collinary than the collection of the collinary that the collection of the collectio

Am saved by the resignation of the saved by the resignation of the feed under him from making any.

B. F. BUTLER.

GENERAL BUTLER'S MILITARY AND OFFICIAL CARREST TO BE CRITICIZED.

BALTMORS, Oct. 12, 1869.

Str.—I now desire to inform you that I are preparing for publication in a weekly paper a series of papers criticising your political, military, odicial and social character during the time I was with you. These papers will contain facts, which I have prepared to prove true and hold myself personally responsible for any and everything therein set forth. I give you this notice in order to let you know I am the author of the articles and that their publication will commence in about two weeks.

W. H. WIEGEL.

ATTEMPT AT BLACKMAIL. BALTIMORE, Dec. 7, 1869.

Baltimous, Dec 7, 1869.

Sin—I have been awaiting a comminication from you for several weeks past under the following circumstances, viz.s—After having prepared a series of paper for publication and notifying you of my united and it was called upon by He you of my united and the constellation of the publication of t

Camp to interfere in this matter. By so doing you will greatly oblige, &c.

PRETENDS TO HAVE BEEN INSANE.

Colonel Wiegel, who has been for some months past afficied with mental disorder, caused by excessive dissipation and trouble, is now a man again. Free from all mental as well as victous disorders or sickness, he remembers but little of his actions during this period of sickness, except as he hears it talked of over by his nearest and dearest Greats, and even they know not all of his actions. He therefore desires to know of you what the full amount of his offence or offences to you have been, and what remedy, if any, he can apply; what he can do in bonor to repulf any damage done in wittingly in moments of freazy, superinduced by drink. No expectation is indusiged in looking for it, the thought of success the interference of the thought of success the interference of the thought of success to he had a simple duesa, when reason (and an imperfect known that is action, and if the facts, imperfectly known to him, no success the control of the control of the success to the prepared to make any and all reparation that may be desired, even by the most fastidious, though they may affect his own honor.

WM. H. WIEGEL.

TOO MUCH METHOD IN HIS MADNESS.
WASHINGTON, Feb. 13, 1870.
Sin—There seems to be too much method in your madness of six months past to allow a return of any relations between yourself and the undersigned. B. F. HUTLER. between yourself and the undersigned. B. F. HUTLER.
This closed the correspondence on the part of General Butler. Wiegel, however, continued up to a recent date to write obscene and insulting letters to the General, many of which were produced, but were of a character too vile to permit of their reading in open court. They were, therefore, passed to the Judge, and then submitted to the jury.
The examination of the General then closed.

JUDGE PORTER GIVES UP THE CASE.
At the conclusion of General Butler's testimony, which evidently produced a profound sensation both upon the jury and spectators.

RX-JUDGE PORTER.

of counsel for the plaintiff, arose and stated that the testimony to which we had just listened disclosed the fact that General Butler took the steamer Nassan

closed the fact that General Butler took the steamer Nassan

IN BEHALF OF THE GOVERNMENT, that he communicated on that subject with the Quartermaster's Department at Washington, and that his proposed action was approved. Under these circumstances, in my judgment, therefore, it would be unjust to claim that his conduct was IN ANY RESPECT ILLEGAL.

If it was irregular, as he frankly admits it was one of those irregularities incident to war, and of which we all had the benefit in the result of the war. I have consulted with my associate, Mr. Doolittle, and my client, Mr. Tilden, and I have expressed to them my own judgment in regard to the whole matter, and am happy to find that they concur with me in the opinion that it is justice to General Butler that I should say that, in view of that evidence, I am entirely satisfied that, so far as this transaction is concerned, he acted in the interests of the government, and not with a view either to his own personal ends or to the advantage of his brother, Andrew Jackson Butler. Under these circumstances Your Honor will of course anticipate what I propose, which is that the jury be discharged and that the case be dismissed.

A POPULAR OUTBURST—GENERAL BUTLER VINDICATED.

the jury be discharged and that the case be dismissed.

A POPULAR OUTBURST—GENERAL BUTLER VINDICATED. This rather unexpected termination of a case which had been contested with such pertinactly and ability was received with a perfect outburst of applause, which was continued so long that the Court, although apparently sympathizing and joining in with the spirit of the occasion, was obliged to make the usual call to order. But it was of little avail. The further business of the court could not be proceeded with. The crowd surged in the direction of the General, who was congratuated, shaken by the hand and overwhelmed by the empresement of his admirers. This unlooked-for demonstration produced a singular effect upon the hero of New Orleans. Instead of appearing to act as if he thought he deserved this ovation he was arrest in his room, his meals being sent to him, until, by his letter, which will be produced, praying that he should not be dishonorably discharged and disgraced, was written to General Butler, which was on the 22d day of September, the day of the final transaction of buying the Nassau from Hunnewell: Mr. Wiegel was not in General Butler's office at all, nor out of the room where he was in close arrest from the time he returned from the fatal expedition of the flag of truce until after the Nassau was purchased; and in obedience to his request, and because it was supposed to be a drunken freak, he was allowed to resign and sent home, the resignation to take effect on the list of October, and he left on the boat on the 7th; Lieutenant Wiegel never was a staff officer of General Butler from that time until the present; so that from about the time the Nassau got into port up to the time that she was sold Mr. Wiegel never did any duty on the staff of General Butler and never was in his office; in regard to the force supposed to be used to cause Hunnewell to transfer the boat on the 17th of September, as he says he was, General Butler testified that there were two answers—first, that the boat was never registered at New Orleans until after General Butler sold her to Griffin, so that there was nothing there to transfer, and nothing could be transferred until after the 22d of September, when General Butler's bill of sale was written, dated and recorded; Mr. Hunnewell did not transfer the boat to General Butler's orderly or anybody else; so far from Mr. Hunnewell did not transfer the boat to General Butler's orderly or anybody else; so far from Mr. Hunnewell did not transfer the boat to General Butler's orderly or anybody else; so far from Mr. Hunnewell did not transfer the boat to General Butler's orderly or anybody else; so far from Mr. Hunnewell did not the began to talk about buying her he himself bonghither of Mr. Van Wickle and pald him with his own hand the money for her; Mr. Hunnewell did not the purpose of sel

hero of New Orleans. Instead of appearing to act as if he thought he deserved this ovation he was evidently taken by surprise, and for the first time during this protracted trial an ill-concealed emotion was apparent to those around.

Judge Davis moved that

A VERDICT BE ENTERED

in the case to guard against any future legal contingency, but upon the suggestion of the Court times by consent agreed that Judge Porter's motion should take effect, and the Court declared the jury withdrawn and the case discontinued. Upon this the jury, released from their long and—on account of the extreme heat—unpleasant detention, animated by a common impulse, pressed forward and congratulated the General by hearty handshakings, thus recording unofficially a verdict concerning which there could have been but little doubt.

In the Butler-Tilden trial of yesterday, when deneral Butler was on the stand, he stated that the slanderous articles against him by the witness Wiegel had been published in the Battimore Gazette. He was corrected to the effect that they had been published in the Journal instead, when the General, in the politest manner possible, said he begged the Gazette's pardon, and hoped the error of name would not be set down against him.

Thus ended one of the hardest fought, and, to the defendant at least, most important suits which have been tried in this city for a long time. General Butler's reputation cannot suffer from the result.

The ordeal of a trial by a jury, which would bring

cral Butler's reputation cannot suffer from the result.

The ordeal of a trial by a jury, which would bring his whole official and military career in New Orleans before the world was long ardently desired by General Butler. It came at last, and nobly has it vindicated the General from all the aspersions and base charges levelled against him during that period of his military life.

BUREAU OF STREET CLEANING.

First Report of the New Board-The Work That Has Been Accomplished

Since the Transfer. The first report of the new Street Cleaning Bueau was received yesterday, and contains details and statistics of the work done since the department has been transferred to the police. The report is, on the whole, satisfactory, and the change port is, on the whole, satisfactory, and the change seems to be a decided improvement. The Seventh Tenth, Seventeenth and Eighteenth wards are in a cleaner condition than they have been for years, and in the others a large portion of the garbage and dirt has been removed. The system of blackmailing that the dirt brigade so long exercised upon citizens has been removed, and the penaity of instant dismissal is to be enforced upon all who demand any money in addition to their regular salary. The vagaries in which the ragpickers have indulged are to be regulated, and steps are to be taken to prevent them selling their refuse of food to the cheap restaurants.

The following is an abstract of the report:—

First.—Two hundred and fifty-three miles of streets, or

The following is an abstract of the report:—

First.—Two hundred and fifty-three miles of streets, or the entire area of the city, was cleaned by Wednesday, 12th Inst.

Second.—Two hundred and twenty-one miles of the same area were cleaned the second time by half-past three P. M. on Friday, 1sth inst.

Third.—One hundred and fifty miles of same area were cleaned a third time by six P. M. Saturday, 1sth inst.

Fourth.—Ten miles of the same area—viz., Bowery, Fourth avenue, Broadway and Fifth, Sixth and Eighth avenues—were cleaned third time by one P. M. on Sunday, 16th inst, the total number of miles cleaned being 664, and the total time of sweepers 4.28% days.

Wages of sweepers, at \$1 75 per day.

Expense of carls for removing ashes and garbage, at \$4 per day.

Expense of carls for removing ashes and garbage, at \$4 per day.

Expense of unloading dirt.

913 25

Wages of foremen.

467 00

Wages of foremen Wages of assistant foremen

Total expense of operating, exclusive of office expenses and superintendents' salaries. \$19,701.25
Total amount of dirt and ashes removed, 23,497 cubic yards.
On account of having only two days' notice to organize a force for the performance of the labor expected they were compelled to work at a disadvantage. The Superintendent recommends the rigid enforcement of the ordinance prohibiting the throwing of ashes and garbage into the streets.

Wiegel returns letter of July 6, 1869, to General Butler, and says:—

If the insinuations which I think likely were made in reference to the causes of the accident were of intemperance, I proclaim him who made them a literal and more of a drinker than myself, I care not who he was a lithink you might have spared me the recital of what you had not the manliness to defend or deny. Please return this letter.

General Butler's letter however made no recital. General Butler replied:— THE ALLEGED POISONING AT NEWBURG. NEWBURG, N. Y., June 20, 1872.

and Wiegel.

ASKING FOR MONEY.

ROCHESTER, Dec. 19, 1868.
Asked a loan of money (\$100, and, in a very penitent tate of mind, alluding to a former loan of \$60 the Genral had given him, and which he promised to secure by bill of sale on his furniture and fixtures, which he alled to do, not having the money to record bill of sale, de continues:

failed to do, not having the money to record bill of sale. He continues:—
"I will some day repay you. I have not forgotten its mever can, never will. * * If it had not been for the \$600 which you loaned I could not have paid it to the wounded man, and would, therefore, have been mustered out of service. * * I am under obligations to you, and at present cannot afford to quarred with you. I am accepting charity at your hands. I am grateful, very grateful, for what you have done for me."

MORE FAVORS ASKED FOR—EXTRACTS FROM LEFTERS.

Acknowledges draft from General Buller after confinement of his wise. Asks tor influence to get position of detective under the Maryland government service, and tell's him that uncomplimentary remarks were made about him.

GENERAL BUILER TO WIEGEL.

GENERAL BUTLER TO WIEGEL.

My DEAR SIR—I laid your enclosed claim before the Board of Managers, and, as i suppose, it was not allowed. Indeed, its presentation brought forth some remarks that were not complimentary. Do not know anything further that can be done in the premises. BENJ, F, BUTLER,

Wiegel returns letter of July 6, 1869, to General

The inquest in the case of Alanson Fisher, who died by poison, was concluded this afternoon. The jury rendered a verdict to the effect that the poison was not administered with intent to kill. James Green and Robert Osborn, who had been arrested on suspiciou. Were released to-day. General Butler replied:—

May Vitte, near Gloucester, July 22, 1809.

I have the bonor to acknowledge the receipt of the encapent of the 18th of July 200 mg/ note to your claim

STOKES.

SECOND DAY'S TRIAL.

Two Jury Panels Exhausted and Only Four Jurors Obtained.

PROCEEDINGS YESTERDAY.

The fact that the trial of Edward S. Stokes for the murder of James Fisk, Jr., by shooting, on the 6th day of January last, was commenced in earnest, in the Court of Oyer and Terminer, brought crowds of people to the Court House building yesterday morning. As on the previous day the prisoner, strongly guarded, was early brought into Court, the interval between his arrival and his production in court for the second day of a trial fraught with such momentous consequences to him being passed in the Clerk's room. THE PRISONER,

upon whom the gaze of all is centred, and to whom the crowded court room; the venerable Judge, holding evenly the scales of justice; this array of counsel; those busy chroniclers taking notes of the proceedings, which the telegraph momentarily flashes to all parts of the country; all this forensic tilting in getting twelve good men to well and truly try; he who indeed the one sole cause of this solemn procedure, and which must surely end grievously for him, to the outward eye exhibits little of that feeling which would make most men in his position an object of sympathy and commiseration, notwithstanding the crime charged against him. With the abatement of that popular feeling which ran so strongly against him in the earlier days of his being brought into Court, and which on two or three occasions seemed to threaten him with Jedburg justice, which would hang first and try afterwards, he has regained all his

natural self-possession and nerve.

The court doors were opened at the usual hour yesterday morning, and the room rapidly filled up. At half-past ten Judge Ingraham took his seat on the bench, and in a moment after the prisoner was led in. Then followed counsel on both sides. Stokes' father and brother sat beside him during the whole day. The two solitary jurymen obtained on the previous day were early in their seats in the jury box, looking nothing the werse of having been in the custody of officers during the night.

SECOND DAY OF THE TRIAL. Mr. Sparkes, Clerk of the Court, was commencing with the call of the panel of jurors, when PRIVATE COUNSEL.

Judge Ingraham addressed counsel on the subject of the application of the prisoner's counsel made on the previous day for the exclusion of private counsel from the prosecution. He said:-

It is the duty of the District Attorney to conduct all prosecutions in the Courts of this State, 1 R. S., 4, ed. 700. When the District Attorney cannot attend the Court is directed to appoint a person to act in his case.—Id.

In several of the States it has been held that the trial of criminal cases may be conducted by other

In several of the States it has been held that the trial of criminal cases may be conducted by other recounsel than the public prosecutor. It does not appear in this case by whom the counsel assisting the District Attorney were employed, but they are here with the consent of the District Attorney. I have no doubt of the authority of the District Attorney in the consent of the District Attorney. I have no doubt of the authority of the District Attorney in the consent of the District Attorney in the consent of the District Attorney in the consent of justice.

By the act of 1848, chapter 367, the Attorney General may employ additional counsel in prosecuting suits in which the people are a party. The practice has been always recognized of the power of the Attorney General to employ additional counsel at the expense of the State. I have no remark to make as to the propriety of counsel receiving fees from individuals for the prosecution of criminal cases. No such case has been presented to me. I am of the opinion that either the District Attorney or Attorney General has the authority to employ additional counsel if he sees at to do so.

Mr. McKeon said that Mr. Webster had, in the case cited, said that he appeared without fee.

Judge Ingraham repiled that what Mr. Webster said was not a rule for this Court.

Mr. McKeon said that the counsel present by their silence admitted that they had received a fee, and he was prepared to show by admidavit that both these counsel had been employed by the Erie Railway, and had been counsel for Stokes, and that one now had a suit against him.

PRIVATE COUNSEL RISES TO EXPLAIN.

The counsel referred to then rose, and, addressing the Court, said:—May it please Your Honor—After the remarks of the counsel for the defence I may be permitted to say a few words for the purpose of justifying myself before the Court and the community. It is true, sir, that I was a one time engaged as counsel in a civil suit for Mr. Stokes, and it was with the consent of Mr. Stokes, on a pilcation to him, th

to say that during two years' association with Mr. Stokes, as counsel and socially, there never has been the least unpleasantness between us, and not for a single moment have I ever entertained the slightest unkindness to him.

The calling of jurors was then proceeded with.

John H. Weston—Are you a broker? A. Yes.
Q. Have you read the papers and the articles in them concerning the prisoner? A. Yes.
Q. Did you form an opinion at that time on that subject? A. Yes.

Q. Have you read the papers and the articles in them concerning the prisoner? A. Yes.
Q. Did you form an opinion at that time on that subject? A. Yes.
Q. Have you that opinion still? A. Yes.
Q. Have you that opinion at opinion, irrespective of your opinion formed, according to the evidence?
A. I think so.
Q. Have you any scruples with regard to rendering a verdict of guilty where the punishment is death? A. No, sir.
Q. Had you any dealings with James Fisk, Jr., during his lifetime. A. No.
Peremptorily challenged.
Jacob H. Frank—Same questions asked. Peremptorily challenged.
Jacob Fussic—He had formed an opinion against the prisoner, which he thought would still remain if he sat on the jury. Stand aside.

THERD JUROR.

Bennett Williams, lace merchant, said he had neither read the papers nor heard them read respecting the murder of Fisk; had conversed on the subject; has no opinion at present on his mind regarding the guilt or innocence of the prisoner; has no religious scruples regarding capital punishment; could give a verdict in accordance with the evidence; do not know a family called Morse nor William M. Tweed nor Jay Gould; have been in the Grand Central Hotel on several occasions since the murder; have been shown the staircase where the occurrence happened; have formed no opinion.

The triers found the challenge not good.
Accepted—third juror sworn.

Charles Wolfenstein, an upholsterer, had formed an opinion which would require evidence on the part of the prisoner to remove; could sit on the jury and render a verdict in accordance with the evidence on the part of the prisoner to remove; could sit on the jury and render a verdict in accordance with the evidence on the part of the prisoner to remove; could sit on the jury and render a verdict in accordance with the evidence on the part of the prisoner, was told to stand aside.

Aron Browne had formed opinions on the case; nothing could remove the opinions he had formed. Stand aside.

stand aside.

Aaron Browne had formed opinions on the case; nothing could remove the opinions he had formed. Stand aside.

George W. Buckheart peremptorily challenged. Henry C. Bowen had expressed opinions on the subject; was peremptorily challenged. Francis Graylard had formed opinions which could not be removed. Stand aside.

George W. Waldgrove had also formed an opinion, which would not, however, bles him in giving a fair verdict. Challenged to favor. Have not inspected Grand Central Hotel, where the murder took place; do not know J. Gould or any of those connected with the Erie Railway; do know a young Mr. Morse, son of Professor Morse; do not know the prisoner; did not know Colone! Fisk in his lifetime; he did not know Henry Smith, Police Commissioner. The triers found the challenge true. Stand aside.

Fourn Juror.

Nehemiah N. Cornish had also formed opinions which to be removed he would have to hear both sides of the case. Challenge for favor. The triers found the challenge not true. He was accepted.

Paul Koachling, a cabinet maker—Have conversed with no one on the subject, do not understand the English language well enough. Challenge to favor withdrawn, told to stand aside. Solomon Lewis. Medical certificate. Refused. James Smith. Challenge peremptorily.

George E. Shortridge having formed an opinion which could not be removed, he was told to stand aside. Christian Brendt—Have talked to my neighbors

aside.
Christian Brendt—Have talked to my neighbors on the subject; have formed an opinion on the subject; thought it a bad thing that such an enterprising man should have been killed; saw Fisk driving and riding in the Park; saw him with ladies; saw

and riding in the Park; saw him with ladies; saw him once on parade,
WHEN THE DUKE WAS HERE
(laughter; Stokes also enjoyed a hearty laugh); would think it a bad thing I any one was killed; was struck by the enterprise and energy of Fisk.
Challenge to favor. The triers found the challenge to be true.
James M. Wellair, having formed an opinion not removable, was told to stand aside.
John R. Haley had formed an opinion, which still remained, but thought he could render a har verdict

according to the evidence; would require strong evidence to remove it. Stand saide.

George Ryan, having formed an opinion not easily removable, was told to stand aside.

Adolphus H. Rhus had formed an opinion, which still remained. Stand aside.

Isaac Herch had formed an opinion, which he did not think any evidence would remove. Stand aside.

George W. Lanrow having formed an impressible would bias his verdict, was told to

Simon Hatch had formed an opinion, which still remained. Stand aside.
George A. Chapman, broker, also had formed an opinion, which still remained. Told to stand aside.
John Binning, broker, also had formed an opinion, which still remained. Told to stand aside.
William Kinghorn had likewise formed an opinion about the killing of Fisk, which still remained, but could render a verdict according to the evidence. Do not know any of the counsel on either side. Challenge to favor. The triers found the challenge not true. Challenged peremptorily.

Here the Court took a recess for half an hour.

After Recess. On reassembling the examination of jurors wa

Wilbur F. Stocking sworn-Did business at the corner of Leroy and West streets; had formed and expressed an opinion as to the guilt or innocence of the accused; had a bias in the case. Challenge for principal cause sustained by the

Benjamin Wallace sworn-Had an opinion in the

Benjamin Wallace sworn—Had an opinion in the case, but believed he could give an impartial verdict on the evidence; his epinion consisted merely of his recollection of what he had read about the killing of Fisk.

Chailenged as to favor—Had no acquaintance, social or business, with Gould, or W. M. Tweed, or the Morse family, or the Minth regiment; had not held an office under the late city government.

The challenge as to favor being denied by the triers, the juror was challenged peremptorily by the defonce.

Asoot A. Searle sworn—Had formed as a city.

ers, the juror was challenged peremptorily by the defonce.

Ascot A. Searle sworn—Had formed an opinion as to the guilt or innocence of the accused; thought the could return a verdict on the evidence alone; had no bias for or against the prisoner; if taken as a juror would try to throw aside all preconceived opinions and impressions.

Challenge sustained by the Court.

Moses Erick sworn—Had read the account of the shooting of Fisk in the newspapers, but had not formed an opinion; never had any business or other relations with Jay Gould or W. M. Tweed, or any persons connected with the Eric Railroad or in Ninth regiment.

Challenged peremptorily by the prosecution.

John P. Lloyd sworn—Had formed an opinion, but thought he could render a verdict according to the evidence; never had any acquaintance with the prisoner or his counsel.

T. H. Gerrity sworn—Had formed a fixed opinion. Challenge sustained.

John J. Smith sworn—Had formed an opinion, but could deliver an impartial verdict on the evidence; had a bias at present from what he had heard, but believed he could exclude that bias in making up his verdict.

Challenge not sustained by the Court, and an exception taken by the delence to His Honor's ruling.

Challenged as to favor; had had no business rela-

exception taken by the defence to His Honor's ruling.

Challenged as to favor; had had no business relations with the Opera House, the Erie Railroad or the Ninth regiment; did not know Fisk, Gould or Tweed; had not held an office under the city government; was acquainted with Mr. Townsend, one of the counsel for the defence.

Challenged peremptorily by the prosecution.

Archibaid McClish sworn—Was a cotton and tobacco broker; had heard and read of the killing of Fisk, and had formed an opinion in the case, which he had still; evidence would be required to remove that verdict.

Challenge sustained by the Court.

he had still; evidence would be required to remove that verdick.
Challenge sustained by the Court.
Lewis E. Morris sworn—Was an expressman; had heard and read of and formed an opinion about the shooting of Fisk; thought he could render a verdict on the evidence alone; had no conscientious scruples about capital punishment.
Challenged as to favor—Did not know Gould or Fisk or Fullerion; if accepted as a juror, believed he could divest himself of all prejudice in the case. Challenged peremptorly by the defence.
Thomas Keane sworn—Had an opinion in the case. Challenge sustained.
Charles E. Moore sworn—Had an opinion in the case. Challenge sustained.
Henry J. Ferris sworn—Was a brewer; had a fixed opinion. Challenge sustained.
William J. Garvey sworn—Was a druggist, in business for himself; had casually heard of the killing of Fisk; did not take newspapers as a general thing; had formed no opinion as to the guilt or innocence of the accused; had been a druggist five years.
Juror asked to be relieved on the ground that he

years.

Juror asked to be relieved on the ground that he had a small store and there was no one to attend to that a small store consenting, the Court excused him.

it, and, both parties consenting, the both extended him.

William Boggs sworn—Had an opinion, but could render an impartial verdict on the evidence; his opinion would require evidence to remove. Challenge sustained.

Alex. B. Morris sworn—Had formed an opinion. Challenge sustained.

James Conover sworn—Was a teacher of music; had formed an opinion such as would require evidence to remove. Challenge sustained.

Alonzo L. Tusca sworn—Had formed an opinion. Challenge sustained.

Charles B. Rouse sworn—Was in the dry goods

hallenge sustained. Charles B. Rouse sworn—Was in the dry goods usiness; had formed an opinion. Challenge sus-

business; and formed an opinion. Challenge sustained.
Francis Rosch sworn—Had read about the killing of Colonel Fisk, and had an opinion as to the guilt or innocence of the accused; did not think that opinion would influence his verdict; had no business relations with Fisk or Gould or the Opera House or the Eric Railroad; was not a married man. The challenge as to favor was sustained by the

jurors.

Ephraim Jenny sworn—Was a clerk in the Triounce once; nad not formed an opinion, though he had expressed opinions, as was aimost unaveidable in a newspaper office; as a juror he would return a verdict of guilty when the penalty would be death.

Challenged as to favor; thought he had an im-

pression for or against the prisoner; as a juror he would only rely entirely upon the evidence submitted. Challenge as to favor was not sustained by the

Challenge as to favor was not sustained by the triers.

Challenged peremptorily by the prosecution. The Court then accorded the same privilege to the jurors as yesterday—that is to say, such as chose to go home were permitted to do so under the gnard of an officer. The usual caution about not allowing any one to converse with them about the trial was also given.

Mr. McKeon then asked that an adjournment should be granted till noon to-day, in order to allow of his carefully examining the personnel of the remainder of the present panel. The counsel for the prosecution had in the course of Mr. Jenny's examination said that he had been told that that purishment. This showed that the present panel had been tracked by the prosecution, and he wished to find out how far this had been done. He only asked for time until noon to-day.

District Attorney Garvin replied that if he had been told that Mr. Jenny had such scruples, it had also been shown that his information was wrong. He did not think any adjournment was necessary on this head, as there were very few names left on the panel.

It was finally decided to adjourn to half-past tens susual. A new panel of a hundred invers was

on this head, as there were very it.

the panel.

It was finally decided to adjourn to half-past ten
as usual. A new panel of a hundred jurors was
ordered, only fifteen names remaining in the box.

The Court then adjourned until half-past ten this

The names of the four jurors now obtained are:—
Myer Homberger, foreman; Roderick Hogan, Bennett Williams and Nehemiah M. Cornish.

EXHIBITION IN BOTANY. The lecture hall of St. Francis Xavier College

was last night crowded by an audience drawn thither by the announcement that an exhibition in botany would be given by the students of the class of 1873. Mr. Frisbee, who is the Professor of Botany in the college, had all things pertain ing to the entertainment most perfectly arranged. The exhibition was given on canvas, with the oxy-The exhibition was given on canvas, with the oxyhydro stereopticon, and consisted of figures of the several branches and subdivisions of the science. The different plants were not exhibited according to classes, but according to the several zones in which they flourish. As each figure was reflected on the canvas a short explanation of its history, peculiarities and medicinal qualities was delivered by one of the students. Among others was the to-bacco plant, which offered the lecturer an opportunity to dilate upon the prevalence of its use in the United States. He stated that, next to sait, to-bacco was most used, and in confirmation of what he said he stated that the statistics of the country showed that forty-nine out of every fifty of the male population used tobacco in some one shape or another. The entertainment ended with music—plano—by Mr. G. A. Farjes, who also played several selections during the intermission.

SAD SUICIDE OF AN INVALID. He Shoots Himself Through the Head.

For several years past Mr. Thomas Bell, a gentle nen in comfortable circumstances, living at 3 East 125th street, has suffered intensely from rheumatism and gout, and of late had become so disabled that it was almost impossible for him to leave the house without assistance. Seeing no prospect of ever being any better, Mr. Bell grew very despondent, and life seemed a burden to him. Whether he had ever made any threats against his life did not appear; but about seven o'clock yesterday morning Mr. Bell, watching his opportunity, placed a revolver to his head and fired, death being almost instantaneous.

Coroner Herrman was notified to hold an inquest. Mr. Bell was forty-eight years of age, a native of this city and was a gentleman of education and refinement, and his death will be severely mourned by a large circle of true friends and acquaintances. It is believed by his relatives that at the time of committing the deed Mr. Bell was partially deprived of reason. In consequence of his great physical suffering. disabled that it was almost impossible for him

GORDON GORDON.

Monsieur Tonson Like, He Turns Up Again.

Interesting Proceedings in the Supreme Court Examination as to Pedigree and Property and Interviews and Negotiations with Jay Gould-The Attackment for Contempt of Court.

The pseudo Lora Gordon, of whom so much has been said, written and conjectured within the past few weeks, and of whom the last statement was that he had falled and would fail to appear for further examination before the Courts upon the charge of swindling preferred against him by Jay Gould, turned up yesterday and put in an appearance before Judge Brady, of the Supreme Court. Of course he was attended by his counsel, and in opposition there appeared Messrs. David Dudley Field, Henry S. Knox and Ellin Root. There was a good deal of prefatory talk. It was stated that the failure of Gordon to appear in Court previously, in which case defaults were taken against him, was through a misunderstanding. The announcement was that unless he appeared for examination yesterday the complaint in the case would be stricken out made by himself against Jay Gould, there being two cross suits pending between them. Upon the opposing counsel announcing themselves reads to go on with the examination, it turned up, or rather was so stated, that the original affidavite had mysteriously disappeared from the possession of Mr. Gould's counsel. The Judge then decided that they must proceed with the next best evidence-the printed copies of these affidavits.

GORDON'S PEDIGREE. Q. You stated in your anidavit that your father died in your infancy, but that your mother told you that your father was a Scottish duke. What was his name?

Judge Brady said the witness was not obliged to answer the question unless he chose to. He would admit the question regarding a person born in the witness.

Mr. Field insisted that it was one of the primary objects of the examination to ascertain whether the statements he had made as to his pedigree were

Judge Brady decided that the question was not pertinent to the case. The witness had stated that he was the son of his mother. (Laughter.) He should not compel the witness to answer it unless

he did so voluntarily. Counsel for Mr. Gordon strennously objected to the question being put, but the Court overruled the objection, leaving it optional with the witness to

Q. Who was your father? A. The question is put as an insult to me, and I decline to answer it.

Mr. Field—That is gratuitous. I shall ask no questions that I do not consider pertinent.

Mr. Gordon—The question is an insult.

Mr. Field—Stop that.

Counsel for Mr. Gordon—Will Mr. Gordon please

make no comments on counsel?

Some further remarks ensued, when Mr. Gordon threw oil on the bubbling waters by apologizing and by Mr. Field expressing his satisfaction at the

threw oil on the bubbling waters by apologizing and by Mr. Field expressing his satisfaction at the apology offered.

Q. Where have you been lately?
The question was not allowed.
A controversy ensued as to whether Mr. Gordon was or Lord Gordon, the Earl of Aberdeen, Scottish peer, and a member of the British House of Lords. Mr. Field insisted that he had stated so in four affidavits. Mr. Gordon's counsel insisted that he had denied it as distinctly, and that all he claimed was having been called Lord Gordon by courtesy. The Judge intimated that the objections of Mr. Field were legal flashes of lighting—this and nothing more. The next question was the one te decide the all-important question,
IS HE A LORD?
Q. Are you Lord Gordon? A. I am by courtesy.
Q. Is this the extent of your claim to being a lord? A. The extent.
Q. From what source did you derive the title? (This question was objected to as being relative to the same subject matter which had already been excluded. In the course of stating the grounds of objection it was insisted by the witness' counsel that the opposing counsel were striving to make him an adventurer—

A DEAD BEAT AND BILE,
who had been playing on a large scale the role of a condeence man in this country. The objection was sustained.)
Q. Can you mention any relatives of your father? (Excluded.)

Q. Can you mention any relatives of your father? (Excluded.)

(Excluded.)

MR. GORDON'S WEALTH.

Q. You have stated that you received \$290,000 from Count de Crano, your trustee, on coming of age. Is that so? (Objected to.)

Mr. Fields recited the declarations of wealth made by Mr. Gordon and insisted that it was right to interrogate the witness on this point.

Mr. Knox said that the witness alleged that he owned 68,000 shares of Eric Railway stock and told of other possessions to Mr. Gould and others. He claimed that it was proper to find out whether these statements were true.

counsel for Gordon read the testimony of witness as to his property, inherited and accumulated, given at his previous examination. After reading this he insisted that it was unnecessary to go over the facts again. The question was allowed. A. Yes, sir.

Q. Where did you receive the property? In London

On.
Q. From whom? A. Count de Crano.
Q. Was this delivered to you in person? A. Yes.
Q. What was the precise amount? The question was not allowed.
Q. What property in this country do you own aboutely?

olutely?
This was objected to, and gave rise to a brief dis-usation. The Judge suggested that the better way as to begin the examination anew. This sugges-on was acquiesced in, and thereupon a recess was dered, after which the examination was begun noco. ordered, after which the examination was begin de novo.

OWNERSHIP OF ERIE RAILWAY SHARES.

On the reassembling of the Court some discussion ensued as to the order of the examination, and at length it begun upon the subject of Mr. Gordon's ownership of Erie Railway shares at the time of his first acquaintance with Jay Gould.

Q. How many shares of Erie Railway stock did you then own? A. Sixty-cight thousand shares.

Mr. Field insisted that the whole story was false; that all the statements of the witness as to his property were made up.

Q. Do you know where the shares are now? A. I do.

O. Are they accessible to you? A. Yes, and en-

I do.
Q. Are they accessible to you? A. Yes, and entirely under my control.
Q. Are they in Court? A. Certainly not.
Q. Are they in New York? A. They are not in

Q. Are they in Court? A. Certainly not.
Q. Are they in New York? A. They are not in this State.
Q. Where are they? Objected to and sustained.
Q. Are they in your room now? Objected to.
Mr. Field—It is an incredible statement, his owning any stock. If the holds 68,000 shares why does he not appear by proxy at the election for directors? It is a sham. He is not preparing to exercise the rights of an owner.
Q. Have you the proxies for voting next Julyor Objected and objection sustained.
Q. Have you ever exercised any acts of ownership? A I have.
Q. What? A. Had possession of it.
Q. Any other acts? A. That was enough.
Q. When did you first become possessed of certificates? A. I had some for several years and have purchased some lately.
Q. From whom did you purchase? A. From brokers here.
Judge—Confine yourself to previous to the 17th of March, 1872.
Q. How much did you hold when you came to this country? A. I cannot tell.
Q. Of the shares of which you speak in your complaint—viz., over 60,000—how many did you bring to this country? A. I cannot tell.
Q. You bought shome here? A. Yos.
Q. Of whom? A. Mr. Capron bought some for me and young Tappen some.
Q. Did you have these in your possession at the time of your meeting Gould? A. Yes.
Q. Those you brought with you, from whom did you receive them? A. From my stepfather, Count de Crano.
Q. Where is Count de Crano? A. At Notting Hill.

Q. Where is Count de Crano? A. At Notting Hill.
Q. Give address more particularly. A. Cambridge square, Notting Hill.
Q. Give address more particularly. A. Cambridge square, Notting Hill.
Q. Give number, so that letters would reach him.
A. My triends have been annoyed and I don't propose to annoy them further; the shares I brought with me were counted in presence of Jay Gould; I cannot give the address more particularly.
Q. What is the full name? A. Charles Henry de Crano.
Q. Is he an Englishman? Objected to and sustained.
Q. Is he still at Notting Hill? A. As far as I know he is.
Counsel for witness insisted that the opposing counsel should be restrained as they were pitting cuustions the answers to which they do not believe.
Judge Brady said he did not regard what countel stated.
Q. The shares of stock that came to you after your arrival here came from whom? A. From my stepfather.
Q. Who brought them to you. A. An uncle. His name is Charles Gordon.
Q. Where is he now? Objected to and objection sustained.
Q. Where does Charles Gordon live? A. Sometimes in England and sometimes in Paris. A short time ago he was in Canada with me; he generally lives in Paris; his address is Place Vendeme; I am in Re-